

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 4, 12 and 19 have been amended. Claims 1-20 are pending in the application. The rejections are respectfully submitted to be obviated in view of the remarks presented herein.

As a preliminary matter, Applicant respectfully requests the Examiner to acknowledge receipt of all certified copies of priority documents, as priority document JP 2002-307735 has previously been submitted.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 4, 12 and 19 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being incomplete for omitting essential steps. Claims 4, 12 and 19 have been editorially amended for clarity. Thus, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are respectfully requested.

Rejection Under 35 U.S.C. § 102(b) - Lazaridis et al.

Claims 1, 2, 6, 9, 10, 13, 15-17 and 20 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lazaridis et al. (U.S. Patent Number 6,219,694; hereinafter “Lazaridis”). The rejection is respectfully traversed.

Regarding claim 1, Applicant’s claimed invention relates to a mobile communication system comprising a mobile terminal, a base station, a network and a server.

The base station communicates with the mobile terminal in a radio channel, and the network is connected with the base station. The server has a server storage unit which stores schedule data and connected with the network, and the mobile terminal transmits a request with a

parameter of an event selected previously or a telephone number corresponding to a received call to the server through the base station and the network based on the program. The server retrieves the schedule data corresponding to the parameter from the server storage unit and transmits the retrieved schedule data to the mobile terminal through the network and the base station. The mobile terminal stores the retrieved schedule data in a terminal storage unit based on the program.

The Examiner maintains that Lazaridis discloses the claimed invention. However, Applicant respectfully submits that Lazaridis does not teach or suggest the mobile communication system with all of the claimed elements as recited in claim 1.

Lazaridis discloses an apparatus for pushing information from a host system to a mobile data communication device upon sensing a triggering event. Two embodiments of this information push device are shown in Figures 1 and 2. Figure 1 shows the redirection of user data items from a user desktop computer host system (10) to mobile data communication device (24) where the redirector software is operating at the desktop computer (10). Alternatively, Figure 2 shows the redirection of user data items from a server computer host system (11) to a mobile data communication device (24) where the redirector software is operating at the server computer (11). However, Lazaridis's embodiments of Figures 1 and 2 are separate and independent configurations of the system for data item redirection. Lazaridis fails to teach or suggest "a server having a server storage unit which stores schedule data and connected with said network," as claimed. Lazaridis's server computer (11) may include user data items, user profiles including information as to which types of messages and information to redirect, what

events will trigger redirection, the address of the users' mobile data communication device (24), the type of mobile device, and the user's preferred list, and also may include messages to be redirected (column 9, lines 33-64). However, Lazaridis's server computer (11) does not teach or suggest having a server storage unit which stores schedule data, as claimed. The addresses or messages in the server computer (11) do not suggest the inclusion of **schedule data**.

Lazaridis also fails to teach or suggest that "said mobile terminal transmits a request with a parameter of an event selected previously or a telephone number corresponding to a received call to said server through said base station and said network based on said program," as also recited in claim 1. In contrast, Lazaridis's redirector program (12) pushes user-selected data items to the mobile data communication device (24) "when the redirector (12) detects that a particular user-defined event trigger (or trigger point) has taken place" (column 6, lines 56-65). Lazaridis's "user-defined event trigger" does not suggest the transmission of a request with a parameter of an event selected previously or a telephone number corresponding to a received call, as recited in claim 1. Lazaridis's "user-defined trigger points" only include external events, internal events and networked events (column 3, lines 14-17), and such events can not be interpreted to be a request with a parameter which is transmitted from the mobile terminal through a base station and a network to a server, as claimed.

Furthermore, Lazaridis also fails to teach or suggest that "said server retrieves said schedule data corresponding to said parameter from said server storage unit and transmits the retrieved schedule data to said mobile terminal through said network and said base station," as recited in claim 1. Although Lazaridis redirects user-selected data items from the host system to

the user's mobile data communication device upon sensing a particular user-defined event, such a sensing of an event does not suggest the retrieval of schedule data corresponding to a parameter, the parameter being transmitted within a *request*.

Regarding claim 9, a mobile terminal comprises a radio section, a terminal storage unit, a display and input section, a control section and a program executing section. The program executing section executes a second program to instruct the control section to control the radio section to transmit a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server, and to store a schedule data provided from the server in the terminal storage unit when the schedule data is received by the radio section. For reasons analogous to those as discussed above, Lazaridis fails to teach or suggest, *inter alia*, the program executing section of the mobile terminal as recited in claim 9.

Regarding claim 16, a software product executable by a computer and comprising a function to generate an instruction and a function to store a schedule data. The function to generate an instruction operates such that a request with a parameter of an event selected previously or a telephone number corresponding to a received call is transmitted to a server. For reasons analogous to those as discussed above, Lazaridis fails to teach or suggest, *inter alia*, the function to generate an instruction as recited in claim 9.

At least by virtue of the aforementioned differences, the invention defined by Applicant's claims 1, 9 and 16 are patentable over Lazaridis. Applicant's claims {2 and 6}, {10, 13 and 15} and {17 and 20} are dependent claims including all of the elements of independent claims 1, 9 and 16 respectively, which as described above, distinguish over Lazaridis. Therefore, claims 2,

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6, 10, 13, 15, 17 and 20 are distinguished over Lazaridis for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) are respectfully requested.

Rejection Under 35 U.S.C. § 103(a) - Lazaridis et al. in view of Espino

Claims 3, 11 and 18 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lazaridis in view of Espino (U.S. Patent Application Publication Number US 2003/0191868). The rejection is respectfully traversed.

Regarding claims 1, 9 and 16, as discussed above, Lazaridis does not teach or suggest, *inter alia*, a transmission of a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server.

Espino does not remedy the deficiencies of Lazaridis. Espino discloses a device for a client application program interface, however, there is no teaching or suggestion in Espino of transmitting a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server, as recited by claims 1, 9 and 16.

At least by virtue of the aforementioned differences, the invention defined by Applicant's claims 1, 9 and 16 are patentable over Lazaridis in view of Espino. Applicant's claims 3, 11 and 18 are dependent claims including all of the elements of independent claims 1, 9 and 16 respectively, which as described above, distinguishes over Lazaridis in view of Espino. Therefore, claims 3, 11 and 18 are distinguished over Lazaridis in view of Espino for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

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Rejection Under 35 U.S.C. § 103(a) - Lazaridis et al. in view of Pepper et al.

Claims 4, 5, 12 and 19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lazaridis in view of Pepper et al. (U.S. Patent Number 5,930,700; “Pepper”). The rejection is respectfully traversed.

Regarding claims 1, 9 and 16, as discussed above, Lazaridis does not teach or suggest, *inter alia*, a transmission of a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server.

Pepper does not remedy the deficiencies of Lazaridis. Pepper discloses a system for screening incoming telephone calls by identifying the origin of the call by using a database of stored information, however, there is no teaching or suggestion in Pepper of transmitting a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server, as recited by claims 1, 9 and 16.

At least by virtue of the aforementioned differences, the invention defined by Applicant’s claims 1, 9 and 16 are patentable over Lazaridis in view of Pepper. Applicant’s claims 4, 5, 12 and 19 are dependent claims including all of the elements of independent claims 1, 9 and 16 respectively, which as described above, distinguishes over Lazaridis in view of Pepper. Therefore, claims 4, 5, 12 and 19 are distinguished over Lazaridis in view of Pepper for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

Rejection Under 35 U.S.C. § 103(a) - Lazaridis et al. in view of Espino

Claims 7 and 14 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lazaridis in view of Espino. The rejection is respectfully traversed.

Regarding claims 1 and 9, as discussed above, Lazaridis does not teach or suggest, *inter alia*, a transmission of a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server.

Espino does not remedy the deficiencies of Lazaridis. Espino discloses a device for a client application program interface, however, there is no teaching or suggestion in Espino of transmitting a request with a parameter of an event selected previously or a telephone number corresponding to a received call to a server, as recited by claims 1 and 9.

At least by virtue of the aforementioned differences, the invention defined by Applicant's claims 1 and 9 are patentable over Lazaridis in view of Espino. Applicant's claims 7 and 14 are dependent claims including all of the elements of independent claims 1 and 9 respectively, which as described above, distinguishes over Lazaridis in view of Espino. Therefore, claims 7 and 14 are distinguished over Lazaridis in view of Espino for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

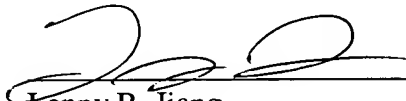
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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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